



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/403,440	01/19/2000	DAVID PHILIP LANE	MWB-0001	7276
77845	7590	11/16/2009		
Goodwin Procter LLP Attn: Patent Administrator 135 Commonwealth Drive Menlo Park, CA 94025-1105			EXAMINER DAVIS, MINH TAM B	
			ART UNIT	PAPER NUMBER
			1642	
			MAIL DATE	DELIVERY MODE
			11/16/2009 PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



## UNITED STATES DEPARTMENT OF COMMERCE

## U.S. Patent and Trademark Office

Address : COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09403440	1/19/2000	LANE, DAVID PHILIP	MWB-0001

Goodwin Procter LLP  
Attn: Patent Administrator  
135 Commonwealth Drive  
Menlo Park, CA 94025-1105

## EXAMINER

MINH-TAM DAVIS

ART UNIT	PAPER
1642	20091109

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

## Commissioner for Patents

The following are insertion for the items missing in the Examiner's Answer of 10/13/09

1) Signed PTO-1449 for IDS of 9/30/03

Attached please find a copy of the signed PTO-1449 submitted. Although Examiner considered the references prior to the Examiner's Answer of 10/13/09, the Examiner inadvertently neglected to sign and include said PTO-1449. It is noted for the record that all of the references submitted have been considered

2) (11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

The following are the items to be deleted on pages 8-9 of the Examiner's Answer.

"disclosed in WO 93/20238 as cells" on page 8, line 13<sup>th</sup>.

"(Reifenberger et al, 1993)" on page 9, line 5<sup>th</sup>.

"(Oliner et al, 1992, and Leach et al, 1993a)" on page 9, lines 7<sup>th</sup>-8<sup>th</sup>.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH-TAM DAVIS whose telephone number is 571-272-0830. The examiner can normally be reached on 9:00 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LARRY HELMS can be reached on 571-272-0832. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MINH TAM DAVIS  
November 9, 2009

/Larry R. Helms/  
Supervisory Patent Examiner, Art Unit 1643

PTO-90C (Rev.04-03)